

SENATE BILL 3468

By Tate

AN ACT to amend Tennessee Code Annotated, Section 55-10-406, relative to the testing of the drivers of certain motor vehicles.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 55-10-406, is amended by deleting subdivision (f)(1) and substituting instead the following:

(1)

(A) A law enforcement officer shall require the driver of a motor vehicle to submit to a test of the person's bodily fluid for the purpose of determining the alcoholic content thereof and the presence or absence of any other potentially impairing substance if the law enforcement officer:

(i) Has probable cause to believe that the driver of a motor vehicle involved in an accident resulting in death or serious bodily injury of another caused or contributed to the crash; or

(ii) Has reasonable suspicion to believe that a person drove a motor vehicle while under the influence of alcohol or other substance while impaired to the slightest degree.

(B) The test shall be performed in accordance with the procedure set forth in this section and shall be performed regardless of whether the driver does or does not consent to the test.

SECTION 2. This act shall take effect July 1, 2012, the public welfare requiring it.